

| TITLE OF CASE  | ATTORNEYS   |
|--|---|
| JOSEPH MORRIS, On Behalf of Himself<br>and Other Inmates Incarcerated In The<br>Behavior Conditioning Unit of The Adult<br>Correctional Institute at Cranston,<br>Rhode Island | For Plaintiff: Samuel H. Fleisig, Esq.<br>James J. Mullen, Esq.<br>John A. Donahue, Esq.<br>Richard A. Boren, Esq. ✓<br>Peter W. Thoms, Esq.<br>William Bennett Turner, Esq.<br>Richard E. Meunier, Esq.<br>Cary Coen, Esq. ✓<br>John A. Nelson, Esq.<br>For Defendant: |
| v.   |   |
| MR. TRAVISANO, COMMISSIONER OF THE DEPARTMENT OF<br>SOCIAL WELFARE OF RHODE ISLAND, AND MR. SHARKEY,<br>SUPERINDENDENT OF THE ADULT CORRECTIONAL INSTITUTE                     | Ira L. Schreiber, Esq. ✓<br>Richard T. Israel, Esq.<br>(Edward F. Burke, Chief Counsel,<br>R.I. Dept. Social Welfare). ✓  |
| BASIS OF ACTION: AT CRANSTON, RHODE ISLAND   | Donald P. Ryan, Esq.<br>Richard E. Meunier, Esq. ✓<br>Everett Petronio, Esq. ✓  |
| Suit for Injunctive Relief under 28 U.S.C.<br>1343(3)  |   |
| URY TRIAL CLAIMED:   |   |
| ON   |   |

| DATE | PLAINTIFF'S ACCOUNT | RECEIVED | DISBURSED | DATE   | DEFENDANT'S ACCOUNT     | RECEIVED | DISBURSED |
|------|---------------------|----------|-----------|--------|-------------------------|----------|-----------|
| 169  |                     |          |           | 1970   |                         |          |           |
| 13   | J.A. Donahue        | 15 00    |           | Aug 12 | Atty. General's Office  | 5 00     |           |
| 15   | Deposit             |          | 15 00     | Aug 19 | Office of Appeal        |          |           |
|      |                     |          |           |        | Deposit                 |          | 5 00      |
|      |                     |          |           | 1974   |                         |          |           |
|      |                     |          |           | Apr 5  | W. Slater (1/10/74)     | 5 00     |           |
|      |                     |          |           |        | (Foster & O'Brien)      |          |           |
|      |                     |          |           |        | (Consolidated 11/15/76) |          |           |
|      |                     |          |           | Apr 17 | Deposit                 |          | 5 00      |

[illegible]

| DATE        | FILINGS-PROCEEDINGS   | CLERK'S FEES |           | AMOUNT<br>REPORTED IN<br>EMOLUMENT<br>RETURNS |
|-------------|---|--------------|-----------|---|
|             |   | PLAINTIFF    | DEFENDANT |   |
| 969         |   |              |           |   |
| Oct. 11     | Complaint filed together with Application<br>For Preliminary Injunction. (At Judge's home)  |              |           |   |
| 13          | Appearance of John A. Donahue, Esq. for Pltff. filed.   |              |           |   |
|             | Appearance of Ira L. Schreiber, Esq. for Defts. filed.  |              |           |   |
|             | Hearing on Application for Preliminary injunction.  | 15           | 00        |   |
|             | Mr. Donahue argues for plaintiffs. Mr. Schreiber argues<br>for defendants. Four plaintiffs witnesses sworn.   |              |           |   |
| Oct. 14     | Hearing continued. Appearance of Richard T. Israel, Esq.<br>for defendants filed. Mr. Israel requests that R. I.<br>Atty. General's Dept. be allowed to represent defendants.<br>Request granted. Edward F. Burke, Esq., Chief Counsel for<br>R.I. Dept. of Social Welfare introduced to court.<br>7 Plaintiff's witnesses sworn. 2 Plaintiff's Exhibits.   |              |           |   |
| Oct. 15     | Hearing Continues. Deft's Motion to Dismiss. Decision reserved.<br>1 Deft's witness.  |              |           |   |
| Oct. 17     | Hearing continues. Request for continuance by Plaintiff's<br>Atty. Due to illness. Mr. Israel argues against.<br>Continuance Granted. Deft's Exhibit "A" - Classification<br>of Inmates entered in evidence. Discussion by court and<br>counsel as to contemplated classification of plaintiffs,<br>in accordance with classifications in Deft's Exh. A.<br>Crt. orders that written Order be drafted in accordance<br>with discussion, to serve as Temporary Order. Case continued<br>to November 7, 1969. Transcript of Hearing on Oct. 15, 1969 filed by Court Reporter. |              |           |   |
| OCT 20 1969 | CONTINUED TO NEXT TERM  |              |           |   |
| 21          | Appearance of Peter W. Thoms, Esq. as Co-Counsel for<br>Pltffs. filed.<br>TEMPORARY ORDER entered and filed.  |              |           |   |
| Oct. 30     | Plaintiff's Motion for continuance to December 5, 1969 filed.<br>Hearing on Motion to be held at 9:30, October 31, 1969.  |              |           |   |
| Oct. 31     | Hearing on Plaintiff's Motion for Continuance to Dec. 5, 1969.<br>Motion GRANTED - under conditions set forth by Court.<br>ORDER entered and filed.   |              |           |   |
| Nov. 10     | Reporter's Transcript of hearing on October 11, 1969 filed.<br>Reporter's Transcript of hearing on October 13,<br>14, 15, 16, 17 and 31, 1969 filed.  |              |           |   |
| Dec. 5      | Hearing to determined day certain for continuation of trial.<br>Cary Coen, Esq. for Plaintiffs. George Burke and Richard T. Israel for defendants.  |              |           |   |

| DATE    | FILINGS—PROCEEDINGS  | CLERK'S FEES |           | AMOUNT<br>REPORTED IN<br>EMOLUMENT<br>RETURNS |
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|         |  | PLAINTIFF    | DEFENDANT |   |
| Dec. 5  | (continued) Conference Monday, Dec. 8, 1969.   |              |           |   |
| Dec. 8  | Appearance of William Bennett Turner, Esq. for plaintiffs<br>filed.  |              |           |   |
| Dec. 10 | Appearance of Cary Coen, Esq. as co-counsel for plaintiffs filed.  |              |           |   |
| Dec. 15 | Case called. Cary Coen, Esq. for Plf. Ira L. Schreiber, Esq.<br>for Defendants. Plf's Motion for Leave to Amend Complaint<br>and re-open Plaintiff's case is argued for by Mr. Coen.<br>Mr. Schreiber argues against. Motion to Amend Complaint<br>granted. Motion to reopen Plaintiff's case reserved<br>until trial resumes. Trial date remains Dec. 29, 1969.   |              |           |   |
| Dec. 16 | ORDER entered and filed.<br>Amended Complaint filed.   |              |           |   |
| Dec. 15 | Case called. Cary Coen, Esq. argues for plaintiffs.<br><del>Ira L. Schreiber argues for defendants. Motion to Amend<br/>Complaint granted. Motion to re-open reserved until<br/>case trial continues.</del>  |              |           |   |
| 29      | Appearance of John A. Nelson, Esq., as Co-Counsel for<br>Pltffs. filed. Trial definitely set for Jan. 5, 1970.<br>Answers to be filed by Jan. 2, 1970. Counsel to hold<br>conference and if agreement can be reached, it will be<br>submitted for court's action. If approved, the agreement<br>will be entered as an order.   |              |           |   |
| 1970    |  |              |           |   |
| Jan. 2  | Appearance of Donald P. Ryan, Esq. for Defts. filed.<br>Answer to Amended Complaint filed.   |              |           |   |
| 15      | Defts( Petition For Writ of Habeas Corpus<br>granted and filed.<br>Writ of Habeas Corpus issued.<br>Writ of Habeas Corpus returned duly served and filed.  |              |           |   |
| 19      | Hearing on new set of rules and regulations.<br>Cary Coen, Esq. and W. B. Turner, Esq. for plfs.<br>E. F. Burke, Esq., Ira Schreiber, Esq., and Donald Ryan, Esq.,<br>for defendants. All inmates (except those awaiting trial)<br>are to receive new rules or have copy made available to<br>them. Inmates may write to court direct, with letters<br>not censored. Materials to be provided to inmates, for this purpose.<br>3 weeks for defendants to accomplish publishing of new<br>set of rules for inmates. |              |           |   |

*Dec 15 above*

| DATE<br>1970 | FILINGS—PROCEEDINGS   | CLERK'S FEES |  |           |  | AMOUNT<br>REPORTED IN<br>EMOLUMENT<br>RETURNS |
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|              |   | PLAINTIFF    |  | DEFENDANT |  |   |
| Jan. 21      | ORDER entered and filed.  |              |  |           |  |   |
| Feb. 2       | Stipulation re:::new Classification hearings filed.   |              |  |           |  |   |
| Mar. 10      | Petition for Writ of Habeas Corpus approved and filed.  |              |  |           |  |   |
| Mar. 11      | Memorandum and Order read by Court. Interim Consent   |              |  |           |  |   |
|              | Decree entered and filed.   |              |  |           |  |   |
|              | Affidavit of Anthony P. Travisano dtd 4 Feb. 1970 filed, and  |              |  |           |  |   |
|              | Affidavit of Anthony P. Travisano dtd 10 Feb. 1970 filed,   |              |  |           |  |   |
|              | with transmittal letter dtd Feb. 10, 1970.  |              |  |           |  |   |
|              | Interdepartmental Comm. to Anthony P. Travisano from  |              |  |           |  |   |
|              | John F. Sharkey "Distribution of Institutional Regulations"   |              |  |           |  |   |
|              | filed.  |              |  |           |  |   |
|              | Copy of Memorandum and Order each: Cary Coen, Esq;  |              |  |           |  |   |
|              | Edward F. Burke, Esq.; and Joseph Morris, Plaintiff.  |              |  |           |  |   |
|              | 1 Writ returned not served and filed.   |              |  |           |  |   |
| R 20 1970    | CONTINUED TO NEXT TERM  |              |  |           |  |   |
| 24           | FIRST INTERIM MEMORANDUM AND ORDER entered and filed.   |              |  |           |  |   |
| May 18       | ORDER entered and filed.  |              |  |           |  |   |
| June 15      | Respondents Notice in Compliance with Order filed.  |              |  |           |  |   |
| July 8       | ORDER entered and filed re disposition of inmates' complaints<br>concerning alleged violations, etc.  |              |  |           |  |   |
| 9            | Appearance of Richard E. Maunier, Esq. for Plaintiffs filed.<br>ORDER amending Rules and Regulations Governing Discipline<br>and Classification of Inmates entered and filed.   |              |  |           |  |   |
| 17           | Appearance of James J. Mullen, Esq. filed for Pltff.<br>Lawrence Germani.<br>Motion for Further Relief for Pltff. Lawrence Germani filed.<br>Notice of Hearing on Motion For Further Relief<br>together with Motion For Further Relief filed by<br>Raymond Wilbur.<br>Notice of Hearing on Motion For Further Relief<br>together with Motion For Further Relief filed by<br>Robert A. Porter. |              |  |           |  |   |
| 23           | Motion to Proceed in Forma Pauperis, Affidavit<br>of Inability to pay Costs and ORDER Granting<br>Leave to Proceed in Forma Pauperis as to<br>Raymond Wilbur entered and filed.<br>Petition For Writ of Habeas Corpus Ad Testificandum,<br>ORDER For Issuance of Writ of Habeas Corpus Ad<br>Testificandum and Writs as to Thomas R. Ross,  |              |  |           |  |   |

| DATE<br>1970 | FILINGS—PROCEEDINGS  | CLERK'S FEES |  |           |  | AMOUNT<br>REPORTED IN<br>EMOLUMENT<br>RETURNS |
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|              |  | PLAINTIFF    |  | DEFENDANT |  |   |
| uly 23       | Lawrence Germani, Carleton Geter and Robert A. Flint, Jr. all in reference to petition of Raymond Wilbur entered and filed.<br>Motion to Proceed in Forma Paupetis, Affidavit of Inability to pay Costs and ORDER Granting Leave to Proceed in Forma Pauperis as to Robert A. Porter entered and filed.<br>Petition For Writ of Habeas Corpus Ad Testificandum<br>ORDER For Issuance of Writ of Habeas Corpus Ad Testificandum and Writs as to Robert A. Porter and Raymond Wilbur all in reference to petition of Raymond Wilbur entered and filed.   |              |  |           |  |   |
| 23           | 6 U. S. Marshal's return of Service - Habeas Corpus filed.<br>3 Pltff's. Subpoena duly served and filed.<br>2 Pltff's. Subpoena Duceas Tecum served and filed.   |              |  |           |  |   |
|              | <del>Supplemental Preliminary Pre Trial Order entered and filed.</del>   |              |  |           |  |   |
| July 24      | Hearing on Motions for Further Relief. Samuel Flesig, Esq. Cary Coen, Esq., James J. Mullen, Esq. and Richard Meunier, Esq. for Petitioners. Edward F. Burke, Richard T. Israel, and Ira L. Schreiber for Respondents. Counsel agree on stipulation as to Petitioner Lawrence Germani. Order to be filed. Hearing on Motion of Robert Porter and Motion of Raymond Wilbur continued to Thursday Morning at 10:00 A.M. If agreement not reached, hearing to resume promptly at that time.<br>Order entered and filed as to Petitioner Lawrence Germani. |              |  |           |  |   |
| July 27      | <del>Petitioners' Notice of Deposition filed. - Herbert F. DeSimone.</del><br><del>Petitioners' Request to Bring Documents at Deposition for for Purpose of Inspection filed.</del><br><del>Petitioners' Notice to Take Deposition of Francis Howard, Warden, A.S.S. filed.</del>  |              |  |           |  |   |
| July 28      | Petition for Writ of Habeas Corpus Ad Testificandum approved and filed.<br>2 writs issued.<br>Petition for Writ of Habeas Corpus Ad Testificandum approved and filed.<br>5 writs issued.   |              |  |           |  |   |
| 29           | 1 Pltff's. Witness Subpoena returned duly served and filed.<br>1 Pltff's. Subpoena Duces Tecum returned duly served and filed.   |              |  |           |  |   |

| DATE    | FILINGS—PROCEEDINGS   | CLERK'S FEES |  |           |  | AMOUNT<br>REPORTED IN<br>EMOLUMENT<br>RETURNS |
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|         |   | PLAINTIFF    |  | DEFENDANT |  |   |
| 1970    |   |              |  |           |  |   |
| July 29 | 1 Pltff's Witness Subpoena returned duly served and filed.  |              |  |           |  |   |
| July 30 | Hearing continues on Motion of Petitioners Robert Porter and Raymond Wilbur. Stipulations to be entered as Order of Court.                  |              |  |           |  |   |
|         | 1 Plaintiffs Subpoena returned duly served and filed.   |              |  |           |  |   |
|         | 1 Plaintiff's Subpoena Duces Tecum returned duly served and filed.  |              |  |           |  |   |
| July 31 | ORDER as to Raymond Wilbur entered and filed.   |              |  |           |  |   |
|         | ORDER as to Robert Porter entered and filed.  |              |  |           |  |   |
| Aug. 6  | Case called for hearing. Samuel Fleisig, Esq. and Cary Coen, Esq. for Pltff., Raymond Wilbur.   |              |  |           |  |   |
|         | Donald Ryan, Esq., Asst. Atty. Gen'l State of R.I. for Defts.   |              |  |           |  |   |
|         | Hearing on Motion For Further Relief of Raymond Wilbur, inmate at A.C.I.  |              |  |           |  |   |
|         | Court gives summary of prior hearing and travel of case.  |              |  |           |  |   |
|         | Mr. Felisig makes statement re: Court's comments.   |              |  |           |  |   |
|         | Mr. Ryan objects to granting of any preliminary injunction.   |              |  |           |  |   |
|         | Court gives oral decision from the bench and grants preliminary injunction against Defts. until determination of the rights of the parties. |              |  |           |  |   |
| 7       | ORDER Granting Preliminary Injunction entered and filed.  |              |  |           |  |   |
|         | Writ of Preliminary Injunction issued.  |              |  |           |  |   |
| 12      | NOTICE OF APPEAL filed by Defendants  |              |  |           |  |   |
|         | (Copy of said Notice of Appeal mailed to Cary Coen, Esq.)   |              |  |           |  |   |
|         | Bond for Costs on Appeal filed  |              |  |           |  |   |
| Sept. 1 | AMENDED ORDER re paragraph 6, etc. entered and filed.   |              |  |           |  |   |
| 15      | Reporter's Transcript of hearing on August 6, 1970 filed.   |              |  |           |  |   |
|         | Record on appeal together with certified copy of docket entries mailed to Clerk, U.S. Court of Appeals for the First Circuit, Boston, Mass. |              |  |           |  |   |
| Oct. 2  | Petition for Writs of Habeas Corpus Ad Testificandum filed.   |              |  |           |  |   |
|         | ORDER for Issuance of Writs of Habeas Corpus Ad Testificandum entered and filed.  |              |  |           |  |   |
|         | Writs issued as to Raymond Wilbur, Carleton Geter, Thomas R. Ross, Robert A. Flint, Jr., and Albert Lombardo.                               |              |  |           |  |   |
|         | 2 Pltff's Subpoenas and 1 Pltff's Subpoena Duces Tecum returned duly served and filed.  |              |  |           |  |   |
|         | Writs returned duly served and filed  |              |  |           |  |   |

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|                    |  | PLAINTIFF    | DEFENDANT |   |
| 1970               |  |              |           |   |
| Oct. 7             | Transcript of informal hearing at ACI, Monday, July 6,<br>1970 filed by Court Reporter.  |              |           |   |
| <b>OCT 19 1970</b> | <b>CONTINUED TO NEXT TERM</b>  |              |           |   |
| Oct 20             | 1 Pltff's Subpoena returned duly served and filed  |              |           |   |
| Oct. 22            | Hearing re Raymond Wilbur's Motion for Further Relief.<br>Appearance of Samuel Fleisig, Esq. for Petitioner Raymond<br>Wilbur filed. Cary Coen, Esq. also for Petitioner.<br>Donald Ryan, Asst. R.I. Atty Gen. for Respondents.<br>Plf's Motion to Sequester witnesses denied.<br>5 Petitioner's Exhibits. 1 Respondent's Exhibit.<br>8 Petitioner's witnesses.<br>Petition for further Relief Denied. Preliminary<br>Injunction dissolved. 2 witness subpoenas returned duly<br>served and filed. |              |           |   |
| 23                 | ORDER entered and filed as to Raymond Wilbur.  |              |           |   |
| Nov 27             | ORDER re Complaint of Carlton Geter entered and filed  |              |           |   |
| Dec 14             | Consent ORDER re amendment to rules at ACI entered<br>and filed. (Copies mailed to Ira Schreiber Esq<br>and Cary Coen Esq)   |              |           |   |
| 1971               |  |              |           |   |
| Jan 8              | Copy of Opinion from U.S. Court of Appeals for<br>the 1st Circuit dismissing appeal filed  |              |           |   |
| Jan. 19            | Motion for Restraining Order of Ray Blais Denied.<br>(Copy to Mr. Blais and copy to F. A. Howard, Warden, ACI)   |              |           |   |
| 28                 | MANDATE from U.S. Court of Appeals(1st Circuit)<br>dismissing appeal as moot received and filed  |              |           |   |
| Feb. 9             | Motion for Further Relief filed by Petitioner.<br>12 Defendants Objection to Motion filed.<br>16 Appearance of Barry Vogel Esq for Pltff filed<br>Case called. Barry Vogel, Esq. for Petitioner.<br>W. Slater Allen, Asst. R.I. Atty. Gen. for Respondents.<br>Petitioner's Motion for Further Relief Dismissed.<br>New Petition to be filed.  |              |           |   |
| 17                 | ORDER entered and filed.   |              |           |   |
| Feb. 23            | Motion for Further Relief filed by John Carillo.<br>Motion for Further Relief filed by Charles Fenner.   |              |           |   |
| 24                 | Petitions for Writs of Habeas Corpus ad Testificandum<br>as to John Carillo, Emil Carsetti, Edward J. Andrews<br>and Charles Fenner granted and filed  |              |           |   |

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|             |  | PLAINTIFF    | DEFENDANT |  |   |
| 1971        |  |              |           |  |   |
| Feb 24      | Writs of Habeas Corpus issued as to John Carillo,<br>Emil Carsetti, Charles Fenner, and Edward J. Andrews  |              |           |  |   |
|             | Pltffs Carillo etc Petition to serve subpoenas in pauperis<br>and Order granting said petition entered and filed<br>witness  |              |           |  |   |
| 26          | 5 Pltff Subpoenas returned duly served and filed   |              |           |  |   |
|             | 1 Pltff Document Subpoena returned duly served and filed   |              |           |  |   |
|             | Writs as to Fenner, Carillo, Carsetti, and Andrews returned<br>duly served and filed   |              |           |  |   |
|             | Hearing on Motion for Further Relief by John Carillo and<br>Charles Fenner. Barry Vogel, Esq., James Mullen, Esq. and<br>John Roney, Esq. for Plaintiffs. W. Slater Allen, Asst. R.I.<br>Atty. Gen. for Defendants. 5 Plaintiff's witnesses. |              |           |  |   |
|             | 2 Plaintiff's Exhibits. Hearing continued to later<br>date.  |              |           |  |   |
| Mar. 13     | Deft's Motion to Strike re John Carillo filed  |              |           |  |   |
| March 16    | Deft's Motion to Strike re Charles Fenner filed  |              |           |  |   |
| Mar. 13     | Petition of Kenneth Floyd Denied.<br>Petition of Herbert Winslow Denied.<br>Petition of Frederick Taylor Denied.<br>Petition of Johnny Cross.  |              |           |  |   |
| Mar. 29     | Petition for Further Relief of Raymond D. Duggan filed.  |              |           |  |   |
| Apr. 5      | Case called. Barry Vogel, Esq. and Cary Coen, Esq. for<br>Plaintiff. W. Slater Allen, Esq. for Defendants.   |              |           |  |   |
|             | Decision on Defendants Motions to strike re Fenner<br>and Carillo Reserved.  |              |           |  |   |
| 6           | ORDER ENTERED AND FILED - Defendants Motion to Strike<br>as to Defts. John Carillo and Charles Fenner Denied.<br>Further hearing on April 29, 1971 at 10:00 A.M.   |              |           |  |   |
| APR 19 1971 | CONTINUED TO NEXT TERM   |              |           |  |   |
| May 4       | Petition of Johnny Cross Denied. (Copy mailed to Mr. Cross)  |              |           |  |   |
| May 14      | Transcript of Hearing on February 26, 1971 filed by Court Reporter.  |              |           |  |   |
| July 21     | ORDER entered and filed designating U.S. Magistrate to<br>review and hear Motions for Further Relief in the cases<br>of John Carillo and Charles Fenner.   |              |           |  |   |
| Aug. 12     | ORDER entered and filed re: retention of jurisdiction<br>and preparation of final decree.  |              |           |  |   |
| Oct 6       | Petition and Order re in forma pauperis service of<br>subpoenas entered and filed  |              |           |  |   |
|             | 1 Pet. Doc. Subpoena and L Pet. Witness subpoena returned duly served  |              |           |  |   |
| OCT 18 1971 | CONTINUED TO NEXT TERM   |              |           |  |   |



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|               |   | PLAINTIFF    | DEFENDANT |   |
| 1971          |   |              |           |   |
| Nov 26        | Deft's Objection to Magistrate's Report filed   |              |           |   |
| Dec. 2        | Magistrate's Report and Recommendation as to Motions of John Carillo and Charles Fenner for further relief filed.   |              |           |   |
|               | ORDER ENTERED AND FILED BY COURT. Motion as to each defendant denied. (Copy to John Roney, Esq. and to W. Slater Allen, Asst. R. I. Atty. Gen.)   |              |           |   |
| 27<br>1972    | Petitioner's Carillo et al Motion to Reconsider filed   |              |           |   |
| Jan 10        | Memorandum ruling denyin Pet Carillo's Motion to reconsider filed/  |              |           |   |
| Apr 5<br>1972 | ORDER of notice to class entered and filed<br>CONTINUED TO NEXT TERM  |              |           |   |
| 20            | JUDGMENT ENTERED AND FILED.   |              |           |   |
|               | Deft. Francis A. Howard's Affidavit filed - re circulation, distribution, and delivery to all ACI Inmates copies of Notice and Regulations dated March 30, 1972 as prescribed and ordered by the Court. |              |           |   |
| 1973          |   |              |           |   |
| Nov 22        | Letter from Deft's Counsel re hearing on regulations filed  |              |           |   |
| 28            | Pltff's Motion for Further Relief filed.  |              |           |   |
| 29            | Pltff's Motion to Consolidate filed   |              |           |   |
| Dec. 3        | Deft's Objection to Motion for Further Relief filed.  |              |           |   |
| 4             | Petition re Morris Rules Filed by inmates of A.C.I.   |              |           |   |
| 5             | Appearance of Richard A. Boren, esq., for Pltff. filed.   |              |           |   |
| *             |   |              |           |   |
| 11            | 1 Pltff witness and 1 Pltff document subpoena returned duly served and filed  |              |           |   |
|               | Petition for Writ of Habeas Corpus ad Test filed  |              |           |   |
|               | Order re issuance of Wrtis entered and filed  |              |           |   |
|               | Writ of Habeas Corpus ad Test issued as to Anthony Souza and Thomas Goff  |              |           |   |
| * 10          | Hearing on Motion for further Relief. & Motion to Consolidate.  |              |           |   |
|               | 2 Plaintiff's witnesses. 11 Plaintiff's Exhibits.   |              |           |   |
|               | 1 Defts. witness. Hearing to continue at 11:45 tomorrow.  |              |           |   |
| 12            | 1 Civil Subpoena returned duly served and filed.  |              |           |   |
|               | Hearing continues. 1 plaintiffs exhibit.  |              |           |   |
|               | Comparative analysis of amended Morris Rules with that issued by Court to be submitted and marked in evidence. Briefs to be submitted by Dec. 22, 1973. Motion to Consolidate with C.A. 5280 granted.   |              |           |   |
|               | Appearance of Everett Petronio, Esq. as co-counsel for Inter. Brotherhood of Correctional Officers filed.   |              |           |   |
| 13            | Writs of Habeas Corpus ad Test returned, duly served and filed.   |              |           |   |
| 17            | Order entered and filed consolidating this case with Civil Action 5280.   |              |           |   |

| DATE<br>1973 | FILINGS—PROCEEDINGS   | CLERK'S FEES |           | AMOUNT<br>REPORTED IN<br>EMOLUMENT<br>RETURNS |
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|              |   | PLAINTIFF    | DEFENDANT |   |
| Dec. 19      | Stipulation Re: Exhibits 8,9,10 and 11 may be withdrawn and returned to Department of Corrections, entered and filed.                                   |              |           |   |
| 20           | Pltff's Motion to reopen proceedings filed. (also entered in 5280)  |              |           |   |
| 1974         |   |              |           |   |
| Jan. 2       | Plf's Motion for Enlargement of Time in Which to File Memorandum of Law filed. Granted. Extended to Friday, January 4, 1974.                            |              |           |   |
| 8            | Plaintiffs Motion for Enlargement of Time in which to file Plaintiff's Memornadum of Law filed. Granted. Extension to Jan. 11, 1974.                    |              |           |   |
| 15           | Pltff's Objection for extension filed.  |              |           |   |
| 28           | Pltff's Answers to Deft's Interrogatories filed. (See 5280)   |              |           |   |
|              | Stipulation re admission of evidence filed. (see CA 5280)   |              |           |   |
| 29           | Reporter's Transcript of Proceedings of December 10, and 12, 1973 filed.  |              |           |   |
| Feb. 7       | ORDER entered and filed denying Petition of John Carillo, SP-174, Civil Action 4192, for Writ of Habeas Corpus.   |              |           |   |
| Mar. 8       | OPINION FILED.  |              |           |   |
|              | Addendum to Opinion filed.  |              |           |   |
| 14           | ORDER re Regulations Governing Discip. Classification and Mail Procedures entered and filed.  |              |           |   |
| 15           | Defts. Motion for Adoption of Revised Regulations Governing Disciplinary Classification and Mail Procedures filed.                                      |              |           |   |
| 15           | Motion by Deft. for Adoption of Revised Regulations, et Governing Disciplinary, Classification and Mail Procedures for all Inmates filed. (See CA 5280) |              |           |   |
| 20           | Deft's Addendum - Emergency or Temporary Provisions filed.  |              |           |   |
| Apr 5        | Deft's Notice of Appeal filed with Costs Bond (See CA 5280)   |              |           |   |
| 9            | Record on Appeal with certified copy of docket entried mailed to Clerk Court of Appeals, Boston, Mass.  |              |           |   |
| July 9       | Affidavit of David L. Chiras, Esq. filed. (See CA 5280)   |              |           |   |
| 25           | Plf's Motion for Preliminary Injunction. Pre Trial Order entered and filed. (see C.A. 5280)   |              |           |   |
| Aug. 1       | Appearance of David L. Chiras, Esq. filed.  |              |           |   |
| Aug. 2       | Amended Complaint filed. (see C.A. 5280) (Pltffs.)  |              |           |   |
| 5            | Magistrate's Electronic Tape of Pre-Trial Conference filed.   |              |           | 5280  |
| * 13         | Pltff's. Amended Motion for Preliminary Injunction filed (See C.A. 5280)  |              |           |   |
|              | Appearance of Everett A. Petronio, Esq. filed.  |              |           |   |
|              | <del>4</del> Civil subpoenas filed. (see CA 5280)   |              |           |   |
| ** 14        | 1 Summons returned duly served and filed.   |              |           |   |
|              | 1 Document subpoena returned duly served and filed.   |              |           |   |
|              | 5 Civil subpoenas returned duly served and filed. 1 returned not served, filed.   |              |           |   |

| DATE       | FILINGS—PROCEEDINGS  | CLERK'S FEES |           | AMOUNT<br>REPORTED IN<br>EMOLUMENT<br>RETURNS |
|------------|--|--------------|-----------|---|
|            |  | PLAINTIFF    | DEFENDANT |   |
| 11974      |  |              |           |   |
| Aug. 16    | 2 civil subpoenas returned duly served and filed.                                    |              |           |   |
|            | MEMORANDUM and ORDER entered and filed. Chief Judge's Reference to                   |              |           |   |
|            | United States Attorney entered and filed. (All in open court)                        |              |           |   |
|            | 1 Civil subpoena returned not served and filed.                                      |              |           |   |
| * Aug. 13  | Electronic Tape of hearing by Magistrate on Protective Order.                        |              |           |   |
| ** Aug. 14 | Hearing on Temp. Restraining Order. 7 plf. witnesses. 1 plf. exhibit                 |              |           |   |
|            | Hearing continues. 1 plf's exhibit. Decision reserved.                               |              |           |   |
| 28         | 7 Plf's Notices of Taking Deposition filed.  |              |           |   |
| 29         | Answers of Defendants filed. (see C.A. 5280)   |              |           |   |
|            | Deft's Interrogatories Propounded to Pltffs. filed (see C.A. 5280)                   |              |           |   |
| 30         | Deft's Motion for Ext. of Time to file answer to amended complaint. (See C.A. 5280)  |              |           |   |
|            | ORDER entered and filed re continuation of Temp. Restraining                         |              |           |   |
|            | Order and hearing on plf's Motion for Preliminary Injunction.                        |              |           |   |
| Sept. 3    | Transcript of Proceedings on Aug. 13, 14, and 16, 1974 filed by Court Reporter.      |              |           |   |
| 12         | Deposition of James Mullen, Fred Chiarini, Robert Houle, Louis Galucci,              |              |           |   |
|            | Ronald Detonnancourt, Leo Bagenski, and Richard Tarvid filed by                      |              |           |   |
|            | Shorthand Reporter Elaine T. Grenier. (See C. A. 5280)                               |              |           |   |
| Sept. 12   | Hearing on Plf's Motion to Hold in Contempt. 1 witness. Continued to Monday.         |              |           |   |
| Sept. 13   | 3 Civil Subpoena's Returned duly served and filed (See C.A. 5280)                    |              |           |   |
|            | Plf's Motion to Amend Amended Complaint filed. (See C.A. 5280)                       |              |           |   |
| 17         | 1 Summons and 2 Civil Subpoena's returned duly served and filed. (See C.A. 5280)     |              |           |   |
| 17         | Order of Court of Appeals re supplemental testimony and evidence.                    |              |           |   |
| 19         | Plf's Petition for Writ of Habeas Corpus Ad Testificandum. (See C.A. 5280)           |              |           |   |
|            | Order for Issuance of Writ issued. (See C.A. 5280)                                   |              |           |   |
|            | Writ issued.   |              |           |   |
| 19         | Answer to Second Amended Complaint. (C.A. 5280)                                      |              |           |   |
| 20         | Plf's Answers to Interrogatories Propounded by the Defendants. (See C.A. 5280)       |              |           |   |
|            | Hearing continues from Sept. 12. 4 Plfs. witnesses.                                  |              |           |   |
| 23         | Hearing continues. 2 plaintiff's witnesses. 2 Defendant's exhibits.                  |              |           |   |
| 24         | 8 Writs of Habeas Corpus returned duly served and filed. (See C.A. 5280)             |              |           |   |
|            | 2 Subpoenas Duces Tecum returned duly served and filed. (See C.A. 5280)              |              |           |   |
|            | 2 witness subpoenas returned duly served and filed, 2 returned NOT SERVED.           |              |           |   |
|            | Hearing continues. 4 Plfs' witnesses. 3 plf's exhibits.                              |              |           |   |
|            | Defts. Motion to Compel filed.   |              |           |   |
| 26         | Hearing continues. 1 Plf's witness. 4 Plf's exhibits.                                |              |           |   |
|            | Plf's Motion for Order to Show Cause re E. Bannon.                                   |              |           |   |
|            | Order to Show Cause entered and filed. Hearing on October 4, 1974.                   |              |           |   |
| 26         | Writ of Habeas Corpus of Kenneth Simms returned duly served and filed. (See CA#5280) |              |           |   |
|            | 1 Civil Subpoena returned duly served and filed. (See CA#5280).                      |              |           |   |
| 26         | Hearing continues. 1 plf's witness. 1 Defts. witness. 1 plf's exhibit.               |              |           |   |
| Oct. 1     | 1 Civil Subpoena returned duly served and filed. (See CA#5280) (j)                   |              |           |   |
| Sept. 27   | Hearing continues. 1 plf's exhibit. 1 Defts. witness.                                |              |           |   |
| Oct. 1     | Hearing continues. 5 Defts. witnesses. 1 plf's exhibit.                              |              |           |   |

| DATE<br>1974 | FILINGS—PROCEEDINGS   | CLERK'S FEES |           |  | AMOUNT<br>REPORTED IN<br>EMOLUMENT<br>RETURNS |
|--------------|---|--------------|-----------|--|---|
|              |   | PLAINTIFF    | DEFENDANT |  |   |
| Oct. 2       | Hearing continues. 1 plfs. witness. 1 plfs. exhibit. 1 Defts. witness.                  |              |           |  |   |
|              | 2 Defts. exhibits.  |              |           |  |   |
| 3            | Request for Writ of Habeas Corpus as to Melvin L. Jackson by Defts.                     |              |           |  |   |
|              | Habeas Corpus issued. (Note; Withdrawn by defts.)                                       |              |           |  |   |
| 4            | Writ of Habeas Corpus returned not executed.  |              |           |  |   |
|              | Hearing continues. 4 Defts. witnesses. 5 Defts. exhibits.                               |              |           |  |   |
|              | 2 Plf's exhibits.   |              |           |  |   |
| 8            | Hearing continues. 7 defts. witnesses. 4 Defts. exhibits.                               |              |           |  |   |
|              | 3 plfs. exhibits. Hearing to continue Saturday. Briefs are to be                        |              |           |  |   |
| *            | submitted within 2 weeks of completion of jury trial.                                   |              |           |  |   |
| 16           | Writ of Habeas Corpus Ad Testificandum returned on John Vargas, Kenneth Simms and       |              |           |  |   |
|              | Charles Perry duly served and filed. (See CA#5280.)                                     |              |           |  |   |
|              | 1 Civil Subpoena returned duly served and filed. (See CA#5280).                         |              |           |  |   |
| * 12         | Hearing continues. 4 Defendants witnesses. Rebuttal.                                    |              |           |  |   |
|              | Hearing on Contempt of Deft. Bannon ; 2 plfs. witnesses. 2 Defts. witnesses.            |              |           |  |   |
|              | More Responsive Answers to Defts. Interrogatories propounded to plfs. filed. tjw        |              |           |  |   |
| 16           | Case goes to trial by jury. A jury was duly impanelled and sworn.                       |              |           |  |   |
|              | Thomas C. Angelone Esq. and Ralph Gonnella, Esq. for plfs. W. Slater Allen, Esq.        |              |           |  |   |
|              | Everett Petronio, Esq. and Joel Landry, Esq. for Defts.                                 |              |           |  |   |
|              | 2 Plfs. witnesses. 1 Defts. exhibit.  |              |           |  |   |
| 17           | Trial continues. 1 plfs. witness. 2 plfs. exhibits.                                     |              |           |  |   |
| 18           | Depositions of John Russell Morris, Edward Hanrahan, Jr., and Howard Sullivan filed. tj |              |           |  |   |
|              | Trial continues. 1 Court witness. 3 Plfs. witnesses. 1 Defts. exhibit.                  |              |           |  |   |
|              | Court orders that certain defendants listed on complaint are dismissed.                 |              |           |  |   |
| 21           | Trial continues. 5 plfs. witnesses. Plf. rests. Defts. Motion for                       |              |           |  |   |
|              | directed verdict. Court rules: as to damages, all defendants dismissed                  |              |           |  |   |
|              | except Mullen, Gallucci, Yahn, Montecalvo, and Chiarini. 7 Defts. witnesses.            |              |           |  |   |
|              | 3 defts. exhibits. 1 Plfs. exhibit.   |              |           |  |   |
| 22           | Trial continues. 7 Defts. witnesses. 1 plfs. exhibit 3 Defts. exhibits.                 |              |           |  |   |
| 23           | Plaintiff's Request for Instructions.   |              |           |  |   |
|              | Def t's. Request for Instructions.  |              |           |  |   |
|              | Defendants' Request to Charge.  |              |           |  |   |
| 24           | Trial continues. 1 plfs. exhibit. Gregory Isom added as Party Plaintiff.                |              |           |  |   |
|              | Donald Taylor substituted for Deft. Travisono. Final arguments.                         |              |           |  |   |
|              | Jury returns verdict:   |              |           |  |   |
|              | Isom v. Yahn - for Isom   |              |           |  |   |
|              | Sims v. Gallucci - for Gallucci.  |              |           |  |   |
|              | Sims v. Montecalvo - for Sims   |              |           |  |   |

| DATE    | FILINGS—PROCEEDINGS   | CLERK'S FEES |           | AMOUNT<br>REPORTED IN<br>EMOLUMENT<br>RETURNS |
|---------|---|--------------|-----------|---|
|         |   | PLAINTIFF    | DEFENDANT |   |
| 1974    |   |              |           |   |
| Oct. 24 | Verdict continued:  |              |           |   |
|         | Perry v. Yahn - for Perry.  |              |           |   |
|         | Isom v. Chiarini - for Isom.  |              |           |   |
|         | Isom v. Mullens - for Isom.   |              |           |   |
|         | Isom v. Taylor - for Isom.  |              |           |   |
|         | Sims v. Chiarini - for Sims.  |              |           |   |
|         | Sims v. Mullen - for Sims.  |              |           |   |
|         | Sims v. Taylor - for Sims.  |              |           |   |
|         | Perry v. Chiarini - for Perry.  |              |           |   |
|         | Perry v. Mullen - for Perry.  |              |           |   |
|         | Perry v. Taylor - for Perry.  |              |           |   |
|         | <u>DAMAGES</u>  |              |           |   |
|         | As to Plf. Isom: \$1.00   |              |           |   |
|         | As to Plf. Sims: (In alleged gassing incident) \$1.00.                                |              |           |   |
|         | (In alleged striking incident) \$1.00   |              |           |   |
|         | As to plf. Charles Perry: \$1.00.   |              |           |   |
|         | <u>PUNITIVE DAMAGES</u>   |              |           |   |
|         | In the case of:   |              |           |   |
|         | Isom v. Yahn: \$0.00  |              |           |   |
|         | Isom v. Chiarini: \$5,000.00.   |              |           |   |
|         | Sims v. Gallucci: \$0.00  |              |           |   |
|         | Sims v. Montecalvo: \$0.00  |              |           |   |
|         | Perry v. Yahn: \$500.00.  |              |           |   |
| Oct. 30 | JUDGMENT entered and filed.   |              |           |   |
| Nov. 15 | Defts Motion for a New Trial filed. Denied.   |              |           |   |
| 14      | Motion for New Trial Denied. See face of motion.                                      |              |           |   |
| 25      | Notice of Appeal filed.   |              |           |   |
|         | Bond for Costs on Appeal filed.   |              |           |   |
| Dec. 10 | Proceedings of Sept. 20, 1974 filed by Court Reporter.                                |              |           |   |
|         | Proceedings of Sept. 26 and 27, 1974 filed by Court Reporter.                         |              | TJW       |   |
|         | Proceedings of Oct. 1, 1974 filed by Court Reporter                                   |              |           |   |
|         | Proceedings of Oct. 2, 1974 filed by Court Reporter.                                  |              |           |   |
| 19      | Proceedings of Friday, October 4, 1974 filed by Court Reporter.                       |              |           |   |
| 1975    |   |              |           |   |
| Jan. 21 | Record on Appeal forwarded to First Circuit Court of Appeals.                         |              |           |   |
| Feb. 28 | Received Mandate from U.S. Court of Appeals for the First Circuit. The Order of       |              |           |   |
|         | District Court Affirmed. Costs in favor of appellees - \$1,448.29. entered and filed. |              |           |   |
| July 3  | Transcript of Proceedings on October 16, 1974/ filed by Court Reporter. (tjw)         |              |           |   |

| DATE     | FILINGS—PROCEEDINGS  | CLERK'S FEES |           | AMOUNT<br>REPORTED IN<br>EMOLUMENT<br>RETURNS |
|----------|--|--------------|-----------|---|
|          |  | PLAINTIFF    | DEFENDANT |   |
| 1975     |  |              |           |   |
| July 3   | Transcript of Proceedings on Oct. 17, 1974 filed by Court Reporter. (tjw)  |              |           |   |
|          | Transcript of Proceedings on Oct. 18, 1974 filed by Court Reporter. (tjw)  |              |           |   |
|          | Transcript of Proceedings on Oct. 22, 1974 filed by Court Reporter. (tjw)  |              |           |   |
|          | Transcript of Proceedings on Oct. 24, 1974 filed by Court Reporter. (tjw)  |              |           |   |
|          | Transcript of Proceedings on Oct. 21, 1974 filed by Court Reporter. (tjw)  |              |           |   |
| Sept. 19 | Defts' Motion To Terminate Restraining Order filed. (A)  |              |           |   |
| 22       | Pltff's Response to Deft's Motion to Terminate Restraining Order filed. (j)  |              |           |   |
| Nov. 10  | Stipulation Re: parties agree that regulations attached hereto concerning the use of firearms, tear gas and other chemical agents, handcuffs, blackjacks and other weapons and restraints at the A.C.I. may be considered as evidence and part of the record by the court in its determination of any proceedings pending in the above matter filed. (j) |              |           |   |
| 18       | Defts Motion to permit continued suspension of certain portions of the morris rules pursuant to rule 60(b) filed. (j)  |              |           |   |
| 24       | Plfs. Objection and Response to Defts. Motion to Permit Continued Suspension of Certain Portions of the Morris Rules. (tjw)  |              |           |   |
| * Dec. 2 | Pltff. Desroches Motion that Hearing be Held and To be Present at Same, entered and filed. z.  |              |           |   |
| 2        | Pltff. Descroches Petition for Writ of Habeas Corpus Ad Testificandum entered and filed. z. Writ issued. (tjw)   |              |           |   |
| 2        | Hearing on Motion to suspend Morris Rules. 3 Defts. witnesses. 6 Defts. witnesses. tjw   |              |           |   |
| 2        | Appearance of John Edward Farley, Esq., for pltffs. z.   |              |           |   |
| Dec. 1   | Petition for Writ of Habeas Corpus as to inmates Thomas Ross, Romeo Gabrial, and Jose Gonzalez. (tjw)  |              |           |   |
|          | ORDER for issuance of writs. (tjw)   |              |           |   |
|          | Writ issued as to 3 inmates. (tjw)   |              |           |   |
| 3        | Hearing continues. 3 Defts. witnesses. 3 Defts. exhibits. 3 Plfs. witnesses. (tjw)   |              |           |   |
|          | Leo DesRoches Motion of Record filed. (tjw)  |              |           |   |
| 4        | Writ Habeas Corpus returned duly served and filed as to Imates Gonzalez, Ross, and Gabrial. (tjw)  |              |           |   |
|          | Writ Habeas Corpus returned duly served and filed as to inmate DesRoches. (tjw)  |              |           |   |
|          | Opinion filed. Decision reserved pending advice of expert.   |              |           |   |
| 5        | Erratum to Opinion of December 4, 1975 filed.  |              |           |   |
| 10       | Crts. written notification of appointment of Dr. Myrl E. Alexander as expert. (tjw)  |              |           |   |
| 15       | Defts Withdraw Motion to permit Continued Suspension of Certain portions of the Moris Rules and Dr. Alexander will return to Florida. Lockup ends Tuesday Dec. 16, 1975.   |              |           |   |
| 17       | Statement of Court on Dec. 15, 1975 relative to end of Lock-up. tjw  |              |           |   |
| 19       | Defts. Motion to withdraw Motion to Permit Continued Suspension of Certain Portions of the Morris Rules. tjw   |              |           |   |

CA 4192

U. S. C. 110 Rev. Civil Docket Continuation

| DATE          | PROCEEDINGS   | Date Order of Judgment Not |
|---------------|---|----------------------------|
| 1976<br>Jan 6 | Deft's Objection to Pro Se Motion by Leo Desroaches filed. F.   |                            |
| 14            | Order entered and filed - Nunc Pro Tunc Dec. 4, 1976 - Expert to be appointed; expenses to be borne by State. tjw (re Mot. to permit continued suspension of Morris Rules. tjw  |                            |
|               | Order entered and filed - Nunc Pro Tunc Dec. 4, 1976 - re Motion to Permit Continued Suspension of Certain Portion of the Morris Rules. Defts. Motion withdrawn. Defts. Plan be implemented immediately; decision to dismiss expert be continued 30 days from date of the signing of this order. tjw  |                            |
| PR 5          | Final Judgment and Order entered and filed. (d)   |                            |
| 12            | Pltffs' Motion for an extension of time to file for costs and fees filed. (d)   |                            |
| y 11          | Pltff. motion for an extension of time to file for costs and fees granted by magistrate. z.   |                            |
| 1977          |   |                            |
| Feb. 15       | Execution satisfied in full signed by Thomas Angelone atty for Charles Perry and filed. (j)   |                            |
| ne 10         | Judgment re: On April 5, 1976 this Court entered a final judgment. After having conferred with counsel for all parties herein and in light of the consolidated proceedings in Palmigiano v Garragy et al now pending before Court the following judgment may be entered; Pltffs' request and prayers for the appointment for an ombudsman, special master and or expert to assess the adequacy of the physical plant at the ACI are denied without prejudice to pltffs or members of their class seeking such relief as in any other proceeding including but not limited to the consolidated proceedings pending in this court entitled, Palmigiano v Garrahy and Ross v Garrahy C.A. 74-172 or 75-32 entered and file |                            |
| une 20        | Pltff's Motion for Extension of Time to File for Costs and Fees, filed./cah   |                            |
| 11/15         | Pltff's Mot For Extension of Time to File For Costs + Fees Filed /h   |                            |
| 11/22         | " " " " granted   |                            |
| 1978          |   |                            |
| n.13          | Stipulation re: Pltff's have until Jan. 31, 1978 within which to file for costs and attorneys fees entered and filed.P  |                            |
| X 1/2         | Stipulation: See 5280   |                            |
| 21            | Stipulation See 5280  |                            |
| Mar. 13       | Stipulation See 5280  |                            |
| June 30       | Stipulation re: Enlargement 7/30-78 to file for costs   |                            |
| 7/20          | Stipulation re: Parties stipulate that defts shall have 10 days to 7/29 to respond to pltffs' mot for attys' fees and costs granted and filed.h   |                            |
| Dec. 14       | Defts' Motin for extension fo time to file memo .h  |                            |
| Feb. 22       | Memo and Order re: Pltffs' request for fees was denied. The crisis which gave rise to Ben David and Morris Litigation is now long forgotten, having been superseded by the Palmigiano case and the issues relating to enforcement of that remedial decree. The court considers it an abuse of its discretions to resurrect those cases and apply the Fees Award Act entered.h   |                            |
| Mar. 15       | Defts' Motion for enlargement of itme to respond to mot for reconsideration to Mar ,23 is granted.h   |                            |
| Oct. 26       | Robert Mann's motion for permission to entere appearance for John Carillo. John Carillo's motion to adjudge in contempt.1<br>Appearance of Robert B. Mann for John Carillo.1<br>Pltff's motion to consolidate with 77-283--Carillo v. Moran.1   |                            |
| Nov. 5        | Memo and order re: Pltff's Motion for reconsideration is denied.h   |                            |
| 6             | Supplemental appeal to first Court of Appeals ( Memo and Order with cert. copy of Docket.   |                            |

AC. NO. 71A446

| DATE    | PROCEEDINGS   | Date Order Judgment N |
|---------|---|-----------------------|
| 1979    |   |                       |
| Nov 9   | No objection having been timely filed, Robert Mann's motion for permission to enter appearance for John Carillo is granted.1  |                       |
| 9       | No objection having been timely filed, plttf's motion to consolidate with with 77-283 is granted.1  |                       |
| 9       | Plttfs motion to adjudge in contempt is hereby consolidated into trial with the plttf's complaint in the case of 77-283.1   |                       |
| Dec. 19 | Petitioner's Carrillos's Motion to proceedin Forma Pauperis, no objection having been filed is granted.h  |                       |
| 1980    |   |                       |
| Aug 25  | OPINION AND ORDER: 1) Defts' motion to vacate the Morris Rules is denied. 2) Having been found to have violated the Morris Rules:<br>a) Defts are ordered to devise a meaningful treatment and rehabilitation plan for plttf. Carillo in accordance with the Morris Rules and R.I.G.L. §42-56-29. Such plan shall be submitted to the Court within thirty days of the entry of this Order.<br>b) Defts are ordered to immediately provide plttf. Carillo with those privileges due a category "C" inmate.<br>c) Defts are ordered to convene a meeting of the Classification Board within thirty days to reconsider Carillo's classification status in accordance with the criteria outlined in the Morris Rules.<br>3) Having ordered reconsideration of plttf's status under the Morris Rules the Court does not reach the eighth amendment issue at this time, but retains jurisdiction to decide this issue if it becomes necessary at a later time.<br>4) The defts' failure to enumerate more specific criteria by which Carrillo's status could be ended does not deny the plttf. due process of law.<br>5) The Court will retain jurisdiction in this case until such time as the order has been fully complied with. Failure to comply shall result in a finding of contempt. cz |                       |
| Aug 29  | Judgment entered and filed. cz  |                       |
| Sept 9  | Plttfs' motion to direct entry of final judgment as to fewer than all the claims filed. sc  |                       |
| Sept 9  | Plttfs' motion to amend and enter judgment filed. sc  |                       |
| Oct 1   | Plttfs' motion to direct entry of final Judgment;<br>1) The Court has directed the entry of final judgment on all claims except plttf's Eighth Amendment claims and the claim for attorney's fees and costs.<br>2) That the court has determined that there is no just reason for delay. cz   |                       |
| Oct 1   | Final Judgment: It is ordered and adjudged; Final Judgment is entered on all claims except: a) the Eighth Amendment claims of plttf.;<br>b) Plttfs' claims for attorney's fees and costs. cz  |                       |
| Nov 18  | Answer of deft, John Moran to Pltf, John Carillo's interros filed. sc   |                       |
| Nov 24  | STIPJLATION re: plttfs have until Dec 10, 1980 to answer deft's report to the Court dated Sept 25, 1980. sc   |                       |
| Dec 19  | Deft's objection to pltf's mtion to adjudge in comptempt filed. sc  |                       |



| PLAINTIFF            |     | DEFENDANT  | DOCKET NO. <u>4192</u><br>PAGE ____ OF ____ PAGES |
|----------------------|-----|--|---|
| Joseph Morris, et al |     |  |   |
| DATE                 | NR. | PROCEEDINGS  |   |
| Mar 19               |     | Petition for Writ of Habeas Corpus, which is scheduled for hearing on 3-24-81 at 2:00 p.m., filed. jr  |   |
| Mar 24               |     | Order to issue Writ of Habeas Corpus filed. sc   |   |
| Mar 26               |     | Petitioner's motion to adjudge in contempt heard in open court -- Nine exhibits entered; one witness. sc   |   |
| Mar 27               |     | Habeas Corpus filed. sc  |   |
| Mar 27               |     | Second day in court -- five witnesses sworn in; one exhibit; pltf's motion to hold in contempt is denied; they have 30 days to reopen matter; Order to be filed. sc  |   |
| Apr 10               |     | Order re: pltf's motion to adjudge the defts in contempt of the Court. Order of Aug 25, 1980 is denied; pltf's counsel have 30 days from March 27, 1981 to reopen said motion; pltf's counsel shall also file pretrial memos setting forth any new witnesses he intends to present if said hearing to adjudge is reopened, the evidence previously presented at the hearing on March 26 and 27, 1981 shall be considered. sc |   |
| Apr 27               |     | Pltf's motion to reopen motion to adjudge in contempt and for further relief filed. sc   |   |
| May 14               |     | Pltf's Motion to reopen mtn. to adjudge in contempt and for further relief is granted. jr  |   |
| June 1               |     | Deft's objection to pltf's motion for an expedited hearing filed. sc   |   |
| June 2               |     | STIPULATION re: pltf's motion for an award of atty's fees is dismissed with prejudice. sc  |   |
| Sept 29              |     | ORDER re: defts shall be permitted to submit testimony by way of deposition in support of their position at any time within 30 days after Sept. 21, 1981. sc   |   |
| Oct 30               |     | STIPULATION re: defts shall be permitted to submit testimony by way of deposition in support of their defense at any time through Nov 1, 1981. sc  |   |
| <u>1982</u>          |     |  |   |
| Oct 12               |     | OPINION AND ORDER re: pltf's m/adjudge is granted but styaed until the case is appealed. sc  |   |
| Oct 18               |     | Pltf's m/ext time for filing application for fees and costs until 45 days filed. sc  |   |
| Oct 18               |     | Pltf's m/to adjudge in civil contempt filed. sc  |   |
| Oct 26               |     | Defts' obj to pltf's m/adjudge in contempt memo to be filed 12/3/82.   |   |
| Oct 25               |     | Final Judgment entered. cz   |   |
| Nov 12               |     | Notice of appeal. cz   |   |
| Nov 15               |     | Fees paid. Receipt No. 6876. cz  |   |
|                      |     | Certified copy of docket card and notice of appeal sent to Court of appeals. cz  |   |
|                      |     | Order Re: Deft's m/ext. time to Dec. 3, 1982 to file obj. to Pltff's m/adjudge contempt grnated.   |   |
| 19                   |     | Pltff's m/entry of default.  |   |
| 18                   |     | Affidavit in support of entry of default.  |   |
| Dec 6                |     | Pleadings sent to court of appeals. sc   |   |

| PLAINTIFF |     | DEFENDANT  | DOCKET NO. _____        |
|-----------|-----|--|-------------------------|
|           |     |  | PAGE ____ OF ____ PAGES |
| DATE      | NR. | PROCEEDINGS  |                         |
| 1983      |     |  |                         |
| Jan 4     |     | Pltffs' obj to defts' memo in support of defts' obj to pltffs' m/adj in contempt.cz  |                         |
| 19        |     | Order: P/Ferola's m/adjudge the defts in contempt is denied without prejudice pending a full hearing on the merits.cz  |                         |
| Sept 26   |     | ORDER re: defts' m/ext of time to Oct 1, 1983 to file a memo is granted; pltfs request for an interim fee award is set down for hearing on Oct 13, 1983 at 9:00 a.m.sc |                         |
| 1984      |     |  |                         |
| Mar 9     |     | Petition for writ of habeas corpus filed (Kevin Lanigan) filed.sc  |                         |
| Mar 9     |     | Petition for writ of habeas corpus filed (Joseph Sexton) filed.sc  |                         |
| Mar 9     |     | Order for issuance of writ of habeas corpus filed.sc   |                         |
| Mar 9     |     | Order for issuance of writ of habeas corpus (Jos. Sexton) filed.sc   |                         |
| Mar 12    |     | Copy of habeas corpus filed.sc   |                         |
| July 16   |     | P/m/civil contempt filed.sc  |                         |
| July 16   |     | Defts' obj to p/m/civil contempt filed.sc  |                         |
| July 26   |     | P/obj to d/obj to p/m/civil contempt filed.sc  |                         |
| Aug 9     |     | Habeas corpus issued.cz  |                         |
| 14        |     | P/assign for hearing.cz  |                         |
| Sept 4    |     | Pltff's obj to Deft's obj to P/civil contempt.cz   |                         |
| Sept 5    |     | Order re: p/may proceed informa pauperis.sc  |                         |
| 1985      |     | Four subpoenas returned and field.sc   |                         |
| Feb 1     |     | P/m/restraining order and to adjudge in contempt filed.sn  |                         |
| Feb 1     |     | D/m/dismiss filed.sn   |                         |
| Feb 5     |     | Two habeas corpus' returned and filed.sn   |                         |
| Aug 19    |     | Defts' m/dismiss filed.sn  |                         |
| 4/23      |     | Mot for a restraining order and to adjudge in contempt filed. jlc  |                         |
| 6/23      |     | Obj. to mot. to adjudge in contempt filed. jlc   |                         |
| 7/1       |     | Reply to memo to obj. to mot. to adjudge in contempt filed. jlc  |                         |
| 7/25      |     | D/obj. and mot. for protective order filed. jlc  |                         |
| 8/1       |     | P/obj. to mot. for protective order filed. jlc   |                         |
| 11/4/86   |     | Order re: Pltff Mastracchio's m/restrain and adjudge passed. entered. rh   |                         |
| Dec 18    |     | Disbursement in amount of \$4,854.38 entered.sn  |                         |
| Dec 4     |     | P/m/restraining order and adjudge in contempt filed.sn   |                         |
| 1987      |     |  |                         |
| Feb 19    |     | P/Stephen Gerard Rodi's m/s.j. denied.sn   |                         |
| Feb 9     |     | Deft's obj to P/S.J.cz   |                         |
| 13        |     | Ans to Deft's obj to P/S.J.cz  |                         |
| Mar 9     |     | P/TRO and to adjudge in contempt is denied.cz  |                         |
| Apr 16    |     | Affidavit as basis for m/contempt of Kelly Crosby filed.sn   |                         |
| Apr 16    |     | P/m/contempt filed.sn  |                         |
| Apr 16    |     | P/m/restraining order and to adjudge in contempt filed.sn  |                         |
| Apr 30    |     | P/m/contempt filed.sn  |                         |
| Apr 30    |     | P/m/restraining order and to adjudge in contempt filed.sn  |                         |
| Apr 30    |     | Affidavit of Gerald Morris for m/contempt filed.sn   |                         |
| May 18    |     | ORDER re: d/will respond to P/Kelly m/restraining order and to adjudge in contempt w/n 1wk from date of this order, sn   |                         |

## CIVIL DOCKET CONTINUATION SHEET

| PLAINTIFF     |     | DEFENDANT   | DOCKET NO. <u>4192</u>  |
|---------------|-----|---|-------------------------|
| Joseph Morris |     | Travisano   | PAGE ____ OF ____ PAGES |
| DATE          | NR. | PROCEEDINGS   |                         |
| <u>1987</u>   |     |   |                         |
| May 22        |     | P/m/restraining order and to adjudge in contempt filed.sn   |                         |
| May 22        |     | Affidavit of Frank Pantoja as basis for m/contempt filed.sn   |                         |
| May 22        |     | P/m/contempt filed.sn   |                         |
| May 29        |     | Defts' obj to p/Kelly Crosby's m/restraining order and to adjudge in contempt filed.sn  |                         |
| May 29        |     | Defts' m/dismiss filed.sn   |                         |
| June 12       |     | Defts' obj to P/for a restraining order & adjudge in contempt.cz  |                         |
|               |     | Crosby/TRO and to adjudge in contempt is denied.cz  |                         |
|               |     | Crosby/contempt is passed.cz  |                         |
| June 16       |     | Defts' obj to p/Gerald Morris' m/restraining order and adjudge in contempt filed.sn   |                         |
| June 23       |     | ORDER re:M/contempt and m/restraining order and to adjudge in contempt is denied.sn   |                         |
| June 23       |     | ORDER re: m/restraining order and to adjudge in contempt by p/Frank Pantoja are denied.sn                                     |                         |
| 7/18/89       |     | POWELL m/adjudge in contempt.cz   |                         |
| 8/17/89       |     | DEFT/obj to pltf/m/to adjudge in contempt. pd   |                         |
|               |     | DEFT/m/ext of time to ans. pltf/m/adjudge in contempt. pd   |                         |
| 8/24/89       |     | PLTFF'S obj to Deft's m/ext of time.cz  |                         |
|               |     | AFF. of Tyrone Powell.cz  |                         |
| 9/8/89        |     | DEFTS obj to pltf m/adjudge in contempt.  |                         |
| 9/14/89       |     | PLTF Powell m/for assignment.   |                         |
| 9/21/89       |     | PLTFS resp. to deft obj to m/adjudge in contempt. hl  |                         |
| 10/16/89      |     | ORDER: Pltf/Powell's m/adjudge in contempt is denied. EOD 10/16/ & se   |                         |
| 10/16/89      |     | PLTF/Powell/m/assignment passed. pd   |                         |
| 1/19/90       |     | PLTF/Robert Williams/m/to adjudge in contempt. pd   |                         |
| 2/2/90        |     | AFFIDAVIT of George Morgan. pd  |                         |
| 1/31/90       |     | DEFT/obj to pltf/m/to adjudge in contempt. pd   |                         |
| 2/12/90       |     | PLTF/response to deft/obj. pd   |                         |
| 2/16/90       |     | PLTF/Williams/m/adjudge in contempt denied w/o prejudice. reserving to the pltf th rgt to file an appropriate ind. action. pd |                         |